

Atty. Dkt. No. VPHAR1460-2  
(ABI1460-2/071243301)

RCE  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Desai et al.  
Title: NOVEL FORMULATIONS OF PHARMACOLOGICAL AGENTS, METHODS FOR THE PREPARATION THEREOF AND METHODS FOR THE USE THEREOF  
Appl. No.: 09/446,783  
Appl. Filing Date: 05/16/2000  
Examiner: R. DeWitty  
Art Unit: 1616

CERTIFICATE OF MAILING  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.  
Stephen E. Reiter  
(Printed Name)  
*Stephen E. Reiter*  
(Signature)  
April 3, 2002  
(Date of Deposit)

11/ Reg under  
1.114  
c/m  
4-3-02

REQUEST FOR CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Commissioner for Patents  
Box RCE  
Washington, D.C. 20231

Best  
4-13-02

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

Please enter and consider the amendment/reply previously filed on \_\_\_\_.

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740.00 OP

- Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_\_ but not considered.
- Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on \_\_\_.
- Other \_\_\_.

b. Enclosed are:

- Preliminary Amendment.
- Affidavit(s)/Declaration(s).
- Information Disclosure Statement.
- Form PTO-1449 and 35 references.
- Change of Correspondence Address.

Miscellaneous:

- Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e)				\$740.00	\$740.00
Total Claims:	5	65	0	x \$18.00	= \$0.00
Independents:	18	18	0	x \$84.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	= \$0.00
				CLAIMS FEE TOTAL:	= \$740.00

Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:		\$110.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$850.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input checked="" type="checkbox"/>	Fee for Information Disclosure Statement		\$180.00
	TOTAL FEE:		\$1030.00

A check in the amount of \$1030.00 to cover the filing fee is enclosed.

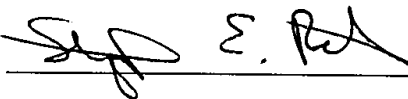
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: April 3, 2002

FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6711  
Facsimile: (858) 792-6773

By 

Stephen E. Reiter  
Attorney for Applicant  
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